IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 15072 of 2005

Between:

1 Podila Laxmi W/o.P.Kumara Swamy
R/o.Gandhinagar, Husnabad, Karimnagar District.
2 Podila Anjaneyulu, S/o. P. Mogili,
R/o. 14-11/2, Pragathi Nagar, Husnabad, Karimnagar District.
3 Podili Raju, S/o. P. Mogili,
R/o. 14-11/2, Pragathi Nagar, Husnabad, Karimnagar District.

(petitioners 2 and 3 are minors, rep.by their natural guardian Podila

Mogili)
4 Gudla Sagar Krishna, S/o. Venkatesham,
R/o. H.No. 13-17, Pragathi Nagar, Husnabad, Karimnagar District.
5 Guntupalli Rama, W/o. G. Ramulu,
R/o. H.No. 15-88, Subhas Nagar, Husnabad, Karimnagar District.
6 Mudukola Satish, S/o. M. Sadanandam,
R/o. Akkannapet Village, Husnabad Mandal, Karimnagar District.
7 Podila Jagan, S/o. Venkatesham,
rep. by his Father and Natural Guardian Podila Venkatesham Aged

about 38 Years, Occ: Kuli, R/o. 3-11, Office Road, Husnabad,

Karimnagar District.
8 Guntupalli Mahesh, S/o. Saraiah,
Rep. by their Father and Natural Guardian Guntupalli Saraiah Aged

about 40 Years, Occ: Kuli, R/o. 15-81 Subhas Nagar, Husnabad,

Karimnagar District.
9 Guntupalli Shekar, S/o. Saraiah,
Rep. by their Father and Natural Guardian Guntupalli Saraiah Aged

about 40 Years, Occ: Kuli, R/o. 15-81 Subhas Nagar, Husnabad,

Karimnagar District.
10 Koneti Ajay Kumar, S/o. K. Venkatesham,
Rep. by their Father and Natural Guardian Koneti Venkatesham

aged about 35 Years, Occ: Kuli,
R/o. 17-88, Subhas Nagar, Husnabad, Karimnagar District.
11 Guntupalli Jayavva, D/o. Rajaiah,
R/o. 17-88, Subhas Nagar, Husnabad, Karimnagar District.
12 Pettem Swathi, D/o. Narasavva,
Rep. by Her Mother and Natural Guardian Pettem Narasavva, Aged

about 45 Years, Occ: Kuli, R/o. 4-98, Govardhangiri Village,

Husnabad Mandal, Karimnagar District.
13 Thupakula Durgesh, S/o. T. Kanukaiah,
Rep. by His Father and Natural Guardian Thupakula Kanukaiah,

aged about 40 Years, Occ: Kuli,
R/o. 4-98, Govardhangiri Village, Husnabad Mandal, Karimnagar

District.
14 Thupakula Santhosh Kumar, S/o. T. Bangari,
Rep. by His Father and Natural Guardian Thupakula Bangari Aged

about 55 Years, Occ: Kuli,
R/o. 5-32, Govardhangiri Village, Husnabad Mandal, Karimnagar

District.
15 Guntupalli Nagalaxmi, D/o. Satteavva,
Rep. by Her MOhter and Natural Guardian Guntupalli Satteavva

aged about 65 Years, Occ: Kuli,
R/o. 5-32, Govardhangiri Village, Husnabad Mandal, Karimnagar

District.
16 Guntupelli Krishna, S/o. G. Mallesam,
R/o. 5-32, Govardhangiri Village, Husnabad Mandal, Karimnagar

District.
17 Podila Yamuna, D/o. P. Kanaka Swamy,
Rep. by their Father and Natural Guardian Podila Kanaka Swam

aged about 45 Years, Occ: Kuli,
R/o. Gandhinagar, Husnabad, Karimnagar District.
18 Podila Sampath, D/o. P. Kanaka Swamy,
Rep. by their Father and Natural Guardian Podila Kanaka Swam

aged about 45 Years, Occ: Kuli,
R/o. Gandhinagar, Husnabad, Karimnagar District.
19 Podila Anjali, D/o. P. Kanaka Swamy,
Rep. by their Father and Natural Guardian Podila Kanaka Swam

aged about 45 Years, Occ: Kuli,
R/o. Gandhinagar, Husnabad, Karimnagar District.
20 Mudrakola Anantha Laxmi, D/o. M. Satyanarayana,
Rep. by thier Father and Natural GuardianMudrakola

Satyanarayana, Aged about 50 Years, Occ:Kuli,
R/o. 3-7, Akkannapet Village, Husanabad Mandal, Karimnagar

District.
21 Mudrkola Rakesh Kumar, D/o. M. Satyanarayana,
Rep. by thier Father and Natural GuardianMudrakola

Satyanarayana, Aged about 50 Years, Occ:Kuli,
R/o. 3-7, Akkannapet Village, Husanabad Mandal, Karimnagar

District.
22 Mudrakola Jagadeswar, S/o. M. Balanarayana,
Rep. by thier Father and Natural GuardianMudrakola Blanarayana,

aged about 53 Years, Occ:Kuli,
R/o. 3-104, Akkannapet Village, Husanabad Mandal, Karimnagar

District.
23 Mudrakola Bhaskar, S/o. M. Balanarayana,
Rep. by thier Father and Natural GuardianMudrakola Blanarayana,

aged about 53 Years, Occ:Kuli,
R/o. 3-104, Akkannapet Village, Husanabad Mandal, Karimnagar

District.
24 Koneti Sreekanth, S/o. Sammaiah,
Rep. by thier Father and Natural Guardian Koneti Sammaiah Aged

about 45Years, Occ:Kuli,
R/o. 3-102, Akkannapet Village, Husanabad Mandal, Karimnagar

District.
25 Mudrakola Satish Kumar, S/o. M. Parameswar,
Rep. by thier Father and Natural Guardian Mudrakola Paramesh

aged about 41Years, Occ:Kuli,
R/o. 14-64/C/20, Santhosh Nagar, Husanabad Mandal, Karimnagar

District.
26 Mudrakola Rajitha, D/o. M. Sadanandam,
R/o. Akkannapet Village, Husanabad Mandal, Karimnagar District.

..... PETITIONERS

AND

1 The Government of Andhra Pradesh, Rep. by Principal Secretary

Social Welfare Department, Secretariat, Secretariat Buildings,

Hyderabad.
2 The Mandal Revenue Officer, (Competent Authority) Husnabad,

Husnabad Mandal, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of Mandamus declaring action of the 2nd respondent in not receiving the writ petitioners applications under Section 3 of the Andhra Pradesh (Schedule Castes, Schedule Tribes and Backward Classes Regulation of Issue of Community Certificates Act 1993 as illegal, arbitrary and violative of Article 14, 15 (4) and 21 of Constitution of India.

Counsel for the Petitioners: MR.UNNAM.MURALIDHAR RAO

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed by the petitioners, who are 26 in number, aggrieved by the action of the second respondent in not receiving the applications from the petitioners which are stated to have been made for the purpose of issuing community certificate as contemplated under Act No.16 of 1993.

2. The grievance of the petitioners is that when all these petitioners presented their applications before the second respondent, the second respondent did not receive at all the applications. Hence, the present writ petition.

3. At the time of hearing, however, the learned Government Pleader pointed out certain deficiencies in the application forms sought to be presented before the second respondent. He further stated that the application forms does not contain the part of acknowledgment as was contained in form-I as well as form-II which is specified in the rules of the book. The learned Government Pleader also stated that most of the applicants are minors and they are not being represented by guardians, as contemplated under Rule 4 and 5 of the Rules. Therefore, sought for direction to the petitioners to make applications in the proper format containing even acknowledgment as part of the application, and if any of the applicants are minors, they should be represented by the guardian or the parent.

4. Heard both sides and considered the material on record.

5. As the grievance of the petitioners is that the second respondent is not receiving the applications presented by them, it is appropriate to dispose of the writ petition directing the second respondent to receive the applications of the petitioners.

6. Accordingly, the second respondent is directed to receive the applications of the petitioners for issuing caste certificate. If any of the petitioners are minors, they must be represented by the guardian or the parent, and the petitioners are also directed to present completed applications in all respects within a period of two weeks from the date of receipt of a copy of this order, and if such applications are presented, the second respondent is directed to receive the same and complete the formalities as required under the Rules and issue caste certificates, if they are entitled in accordance with law.

7. Accordingly, the writ petition is disposed of. No order as to costs.

S.ANANDA REDDY, J

13th July, 2005

SKM
To

1 The Principal Secretary, Government of Andhra Pradesh,

Social Welfare Department, Secretariat, Secretariat Buildings,

Hyderabad.
2 The Mandal Revenue Officer, (Competent Authority) Husnabad,

Husnabad Mandal, Karimnagar, District.

3 Two C.Cs. to G.P. for Social Welfare, High Court Buildings,

High Court of A.P., Hyderabad (OUT)

4 Two CD Copies.